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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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EXAMINER

DINH, DUNG C

ART UNIT	PAPER NUMBER
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2152

DATE MAILED: 07/05/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

08/978,490

Applicant(s)

KAWAKAMI, ITARU

Examiner

Dung Dinh

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 21 April 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,2,4,5,7,8,10,11,13-21 and 23-25 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,2,4,5,7,8,10,11,13-21 and 23-25 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 4/21/2005 has been entered.

Response to Arguments

Applicant's arguments filed 11/23/2004 have been fully considered but they are not persuasive.

With respect to the new limitation of displaying a telephone number to confirm a previously selected communication mode, the limitation 'previously selected' communication mode is an inherent characteristic of the system as modified in the rejection. The system as modified provides for a URL with phone number and mode of communication. The user selects the URL to initiate a dialing process to establish the communication according to the mode specified in the URL. Hence, a confirmation dialog after the selection of the URL would be a confirmation to the previously selected communication mode.

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With respect to Applicant's traversal of the Official notice that it is well know to dialup to ISP via a modem for accessing to a server through Internet. Long et al. US patent 5,943,365 is now relied upon for this teaching instead of Godbole and Valencia.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. § 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 1-2, 4-5, 20-21 are rejected under 35 U.S.C. 103(a) as being unpatentable over RFC 1738 "Uniform Resource Locators (URL)" 1994 and further in view of Mattaway et al. US patent 6,275,490; Long et al. US patent 5,943,365; and Capps et al. US patent 6,512,525.

As per claims 1-2, RFC 1738 provides an Internet standard for the syntax and semantics of a language for location and access of resource.

The RFC 1738 provide for a language usable for describing link location in the form of <scheme>:<scheme-specific-part>, wherein the <scheme> is the communication method, <scheme-specific-part> includes the destination address and other information dependent upon the <scheme> [see pages 2, 5-6].

The RFC 1738 does not specifically disclose using a telephone number as a destination address.

Mattaway teaches a system having HTML tags encoded destination link having a telephone number as a designation address [col.4 lines 5-11]. Mattaway does not disclose the specific of the information contained in this telephone destination link.

Hence, it would have been obvious for one of ordinary skill in the art to apply the RFC 1738 standard to the encoding of the telephone address destination to have the communication method (<scheme>) and the telephone number (<scheme-specific-part>) because it would have enable standard parsing and usage of the link information.

Mattaway does not specifically disclose a computer having a first communicating mode connecting to a server apparatus through the Internet and a second communicating mode connecting to a telephone apparatus via a secured public telephone network, using the same telephone line. However this feature is well

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known in the art and is an inherent feature in a computer with a fax/modem device. Long discloses that computer with a modem device can make a FAX call, data call to another computer, or access the Internet via the modem through a single telephone line [see col.1 lines 45-55]. Hence, the feature of two communication modes (e.g. Internet access and fax communication) using the same telephone line is inherent in a PC with a modem. Furthermore, one of ordinary skill in the art would have been motivated to use Long's modem with Mattaway because it would have improved reliability of data communication over telephone line [see Long col.1]; and thereby arrived at the claimed invention.

Mattaway does not specifically disclose information configured to confirm that a communication link with the predetermined apparatus shall be established (e.g. a confirmation dialog) with the telephone number of the selected communication mode. However, it is well known in the art to offer the user a confirmation when an action with consequence or cost to the user is about to be performed. Capps teaches a user interface having dialog which can displays phone number so that the user can see the number to be dialed [see fig.16a-d, fig.17, 19a, col.17 lines 10-37, col.18 lines 5-26]. Since initiating a new telephone call would interrupt the current call (e.g.

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interrupting the user's current Internet dialup session), it would have been obvious for one of ordinary skill in the art to display the communication mode and the phone number indicated in the link before dialing because it would have given the user an opportunity to confirm the number and/or stop the call.

As per claims 4-5, 20-21, are similarly rejected as for claims 1-2 above.

Claims 7-8, 17-19, and 23-25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Mattaway et al. US patent 6,275,490 and further in view of RFC 1738 "Uniform Resource Locators (URL)" 1994 and Long et al. US patent 5,943,365 and Capps et al. US patent 6,512,525.

As per claim 7, Mattaway teaches an apparatus comprising:

a) a receiver(client's browser) configured to receive information, the information including a telephone number assigned to a line connect to a predetermined apparatus [col.3 lines 50-63, col.4 lines 7-11];

b) a display [fig.2a] configured to display the information

c) a command device [col.3 line 53 pointing device] configured to specify a predetermined position;

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d) a communication controller configured to establish a communication link with the predetermined apparatus based on the telephone number, if the predetermined position specified by the command device is associated with the telephone number [apparent from col.3 lines 50-63 when the user selected the destination icon].

Mattaway does not disclose the specific of the information contained in this telephone destination link.

The RFC 1738 provide for a language usable for describing link location in the form of <scheme>:<scheme-specific-part>, wherein the <scheme> is the communication method, <scheme-specific-part> includes the destination address and other information dependent upon the <scheme> [see pages 2, 5-6].

Hence, it would have been obvious for one of ordinary skill in the art to apply the RFC 1738 standard to the encoding of the telephone address destination to have the communication method (<scheme>) and the telephone number (<scheme-specific-part>) because it would have enable standard parsing and usage of the link information.

Mattaway does not specifically disclose a computer having a first communicating mode connecting to a server apparatus through the Internet and a second communicating mode connecting to a telephone apparatus via a secured public telephone network,

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using the same telephone line. However this feature is well known in the art and is an inherent feature in a computer with a fax/modem device. Long discloses that computer with a modem device can make a FAX call, data call to another computer, or access the Internet via the modem through a single telephone line [see col.1 lines 45-55]. Hence, the feature of two communication modes (e.g. Internet access and fax communication) using the same telephone line is inherent in a PC with a modem. Furthermore, one of ordinary skill in the art would have been motivated to use Long's modem with Mattaway because it would have improved reliability of data communication over telephone line [see Long col.1]; and thereby arrived at the claimed invention.

Mattaway does not specifically disclose information configured to confirm that a communication link with the predetermined apparatus shall be established (e.g. a confirmation dialog or message) with the telephone number. However, it is well known in the art to offer the user a confirmation when an action with consequence or cost to the user is about to be performed. For example, Capps teaches a user interface having dialog with display of phone number so as to enable the user to confirm the number [see fig.16a-d, fig.17, 19a, col.17 lines 10-37, col.18 lines 5-26]. Hence, it would

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have been obvious for one of ordinary skill in the art to display the phone number and confirm that the user want to establish the connection indicated in the link because it would have enabled the system to confirm the user's intention and enabled the user to view/verify the number to be dialed.

As per claim 8, Mattaway teaches HTML encoding of the link destination [col.3 line 57].

Claims 17-19, 23-25 are similarly rejected as for claims 7-8 above.

Claim 10 is rejected under 35 U.S.C. 103(a) as being unpatentable over Mattaway et al. US patent 6,275,490 and further in view of Long US patent 5,943,365 and Capps et al. US patent 6,512,525.

As per claim 10, Mattaway teaches an apparatus comprising:

a) a receiver(client's browser) configured to receive information, the information including a telephone number assigned to a line connect to a predetermined apparatus [col.3 lines 50-63, col.4 lines 7-11];

b) a display [fig.2a] configured to display the information

c) a command device [col.3 line 53 pointing device] configured to specify a predetermined position;

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d) a communication controller configured to establish a communication link with the predetermined apparatus based on the telephone number, if the predetermined position specified by the command device is associated with the telephone number [apparent from col.3 lines 50-63 when the user selected the destination icon].

Mattaway does not specifically disclose providing a telephone-number selector when there are plural telephone numbers associated with the position. It is well known in the art of Graphical User Interface to provide a pick-list when there are multiple choices associated with a position selected by a pointing device. It would have been obvious for one of ordinary skill in the art to provide a telephone number selector when there are plural phone numbers associated with the position because it would have simplified the display by presenting only one icon for the plural numbers.

Mattaway does not specifically disclose a computer having a first communicating mode connecting to a server apparatus through the Internet and a second communicating mode connecting to a telephone apparatus via a secured public telephone network, using the same telephone line. However this feature is well known in the art and is an inherent feature in a computer with a fax/modem device. Long discloses that computer with a modem

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device can make a FAX call, data call to another computer, or access the Internet via the modem through a single telephone line [see col.1 lines 45-55]. Hence, the feature of two communication modes (e.g. Internet access and fax communication) using the same telephone line is inherent in a PC with a modem. Furthermore, one of ordinary skill in the art would have been motivated to use Long's modem with Mattaway because it would have improved reliability of data communication over telephone line [see Long col.1]; and thereby arrived at the claimed invention.

Mattaway does not specifically disclose information configured to confirm that a communication link with the predetermined apparatus shall be established (e.g. a confirmation dialog or message) with the telephone number. However, it is well known in the art to offer the user a confirmation when an action with consequence or cost to the user is about to be performed. For example, Capps teaches a user interface having dialog with display of phone number so as to enable the user to confirm that the intended operation [see fig.16a-d, fig.17, 19a, col.17 lines 10-37, col.18 lines 5-26]. Hence, it would have been obvious for one of ordinary skill in the art to display the phone number and confirm that the user want to establish the connection indicated in the link because

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it would have enabled the system to confirm the user's intention and enabled the user to view/verify the number to be dialed.

Claim 11 is rejected under 35 U.S.C. 103(a) as being unpatentable over Mattaway et al. US patent 6,275,490 and further in view of Mark US patent 5,732,133, Long et al. US patent 5,943,365, and Capps US patent 6,512,525.

As per claim 11, Mattaway teaches an apparatus comprising:

a) a receiver(client's browser) configured to receive information, the information including a telephone number assigned to a line connect to a predetermined apparatus [col.3 lines 50-63, col.4 lines 7-11];

b) a display [fig.2a] configured to display the information

c) a command device [col.3 line 53 pointing device] configured to specify a predetermined position;

d) a communication controller configured to establish a communication link with the predetermined apparatus based on the telephone number, if the predetermined position specified by the command device is associated with the telephone number [apparent from col.3 lines 50-63 when the user selected the destination icon];

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Mattaway does not specifically disclose providing a number adder for adding a number required for international communication to a telephone number.

Mark discloses automatic adding of international telephone code prefix and area code to the phone number to make it relatively easy for a user to place long distance calls from foreign countries. It would have been obvious for one of ordinary skill in the art to have automatic telephone code adder because it would have ease the burden on the user and improved the usability of the system.

Mattaway does not specifically disclose a computer having a first communicating mode connecting to a server apparatus through the Internet and a second communicating mode connecting to a telephone apparatus via a secured public telephone network, using the same telephone line. However this feature is well known in the art and is an inherent feature in a computer with a fax/modem device. Long discloses that computer with a modem device can make a FAX call, data call to another computer, or access the Internet via the modem through a single telephone line [see col.1 lines 45-55]. Hence, the feature of two communication modes (e.g. Internet access and fax communication) using the same telephone line is inherent in a PC with a modem. Furthermore, one of ordinary skill in the art would have been

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motivated to use Long's modem with Mattaway because it would have improved reliability of data communication over telephone line [see Long col.1]; and thereby arrived at the claimed invention.

Mattaway does not specifically disclose information configured to confirm that a communication link with the predetermined apparatus shall be established (e.g. a confirmation dialog or message) with the telephone number. However, it is well known in the art to offer the user a confirmation when an action with consequence or cost to the user is about to be performed. For example, Capps teaches a user interface having dialog with display of phone number so as to enable the user to confirm that the intended operation [see fig.16a-d, fig.17, 19a, col.17 lines 10-37, col.18 lines 5-26]. Hence, it would have been obvious for one of ordinary skill in the art to display the phone number and confirm that the user want to establish the connection indicated in the link because it would have enabled the system to confirm the user's intention and enabled the user to view/verify the number to be dialed.

Claim 13 is rejected under 35 U.S.C. 103(a) as being unpatentable over Mattaway et al. US patent 6,275,490 and

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further in view of Mincone et al. US patent 4,585,904, Long et al. US patent 5,943,365, and Capps US patent 6,512,525.

As per claim 13, Mattaway teaches an apparatus comprising:

a) a receiver(client's browser) configured to receive information, the information including a telephone number assigned to a line connect to a predetermined apparatus [col.3 lines 50-63, col.4 lines 7-11];

b) a display [fig.2a] configured to display the information

c) a command device [col.3 line 53 pointing device] configured to specify a predetermined position;

d) a communication controller configured to establish a communication link with the predetermined apparatus based on the telephone number, if the predetermined position specified by the command device is associated with the telephone number [apparent from col.3 lines 50-63 when the user selected the destination icon];

Mattaway does not specifically disclose displaying an estimate cost of the call.

Mincone discloses automatic display estimated cost of a call to be made [see abstract]. It would have been obvious for one of ordinary skill in the art to display the estimated cost of the call because it would have enabled the user to know and judge whether he want to incur the charge associated with the call.

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Mattaway does not specifically disclose a computer having a first communicating mode connecting to a server apparatus through the Internet and a second communicating mode connecting to a telephone apparatus via a secured public telephone network, using the same telephone line. However this feature is well known in the art and is an inherent feature in a computer with a fax/modem device. Long discloses that computer with a modem device can make a FAX call, data call to another computer, or access the Internet via the modem through a single telephone line [see col.1 lines 45-55]. Hence, the feature of two communication modes (e.g. Internet access and fax communication) using the same telephone line is inherent in a PC with a modem. Furthermore, one of ordinary skill in the art would have been motivated to use Long's modem with Mattaway because it would have improved reliability of data communication over telephone line [see Long col.1]; and thereby arrived at the claimed invention.

Mattaway does not specifically disclose information configured to confirm that a communication link with the predetermined apparatus shall be established (e.g. a confirmation dialog or message) with the telephone number. However, it is well known in the art to offer the user a confirmation when an action with consequence or cost to the user

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is about to be performed. For example, Capps teaches a user interface having dialog with display of phone number so as to enable the user to confirm that the intended operation [see fig.16a-d, fig.17, 19a, col.17 lines 10-37, col.18 lines 5-26]. Hence, it would have been obvious for one of ordinary skill in the art to display the phone number and confirm that the user want to establish the connection indicated in the link because it would have enabled the system to confirm the user's intention and enabled the user to view/verify the number to be dialed.

Claims 14-16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Mattaway et al. US patent 6,275,490 and further in view of Smith US patent 5,835,724, Long et al. US patent 5,943,365, and Capps US patent 6,512,525.

As per claim 14, Mattaway teaches an apparatus comprising:

a) a receiver(client's browser) configured to receive information, the information including a telephone number assigned to a line connect to a predetermined apparatus [col.3 lines 50-63, col.4 lines 7-11];

b) a display [fig.2a] configured to display the information

c) a command device [col.3 line 53 pointing device] configured to specify a predetermined position;

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d) a communication controller configured to establish a communication link with the predetermined apparatus based on the telephone number, if the predetermined position specified by the command device is associated with the telephone number [apparent from col.3 lines 50-63 when the user selected the destination icon];

Mattaway does not specifically disclose reestablishing connection after the receiver was disconnected.

Smith discloses as system for automatic continue a session after a client was disconnected.

It would have been obvious for one of ordinary skill in the art to provide means for reestablishing a connection when a receiver was disconnected because it would have improved the system by enabling the receiver to resume a disconnected session.

Mattaway does not specifically disclose a computer having a first communicating mode connecting to a server apparatus through the Internet and a second communicating mode connecting to a telephone apparatus via a secured public telephone network, using the same telephone line. However this feature is well known in the art and is an inherent feature in a computer with a fax/modem device. Long discloses that computer with a modem device can make a FAX call, data call to another computer, or access the Internet via the modem through a single telephone

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line [see col.1 lines 45-55]. Hence, the feature of two communication modes (e.g. Internet access and fax communication) using the same telephone line is inherent in a PC with a modem. Furthermore, one of ordinary skill in the art would have been motivated to use Long's modem with Mattaway because it would have improved reliability of data communication over telephone line [see Long col.1]; and thereby arrived at the claimed invention.

Mattaway does not specifically disclose information configured to confirm that a communication link with the predetermined apparatus shall be established (e.g. a confirmation dialog or message) with the telephone number. However, it is well known in the art to offer the user a confirmation when an action with consequence or cost to the user is about to be performed. For example, Capps teaches a user interface having dialog with display of phone number so as to enable the user to confirm that the intended operation [see fig.16a-d, fig.17, 19a, col.17 lines 10-37, col.18 lines 5-26]. Hence, it would have been obvious for one of ordinary skill in the art to display the phone number and confirm that the user want to establish the connection indicated in the link because it would have enabled the system to confirm the user's intention and enabled the user to view/verify the number to be dialed.

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As per claims 15-16, they are rejected under similar rationale as for claim 14 above.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dung Dinh whose telephone number is (571) 272-3943. The examiner can normally be reached on Monday-Friday from 7:00 AM - 3:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Glenton Burgess can be reached at (571) 272-3949.

The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Dung Dinh
Primary Examiner
June 28, 2005